

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

COLUMBIA GAS TRANSMISSION, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 2:16-cv-01223
)	
691.73 ACRES OF LAND MORE OR)	
LESS IN CLAY AND KANAWHA)	
COUNTIES, WEST VIRGINIA, QS)	
COAL, INC., <i>et al.</i>,)	
)	
Defendants.)	

AMENDED ORDER DETERMINING JUST COMPENSATION

This matter comes before the Court on Plaintiff Columbia Gas Transmission, LLC (“Columbia”) and Defendants JASF Energy, LLC (“JASF”), QS Coal, Inc. (“QS Coal”), and D H M Corporation, a/k/a DHM Corporation, a/k/a D.H.M. Corporation (“DHM,” and collectively with Columbia, JASF and QS Coal, the “Parties”)¹ Consent Motion To Entry Of Order Determining Just Compensation [ECF Doc. 116]. The Court finds as follows:

1. On February 1, 2016, Columbia filed its Complaint for Condemnation [ECF Doc. 1] (“Complaint”).
2. On December 1, 2016, the Court entered a Memorandum Opinion & Order [ECF Doc. 102] granting partial summary judgment and declaring that the rights-of-way and easements described in Complaint **Exhibit A-1** through **Exhibit A-7** [ECF Docs. 1-1 through 1-7] (the “**Easements**”) be and stand condemned.
3. The only matter at issue in this Action is, accordingly, the determination of just compensation.

² The Parties constitute all remaining active, interested litigants in this condemnation matter.

4. The Parties have stipulated and agreed that just compensation for the easements equaling \$50,000 (the “**Just Compensation Award**”).

5. Based upon the foregoing, and the entirety of this Court’s file, the Court finds as follows:

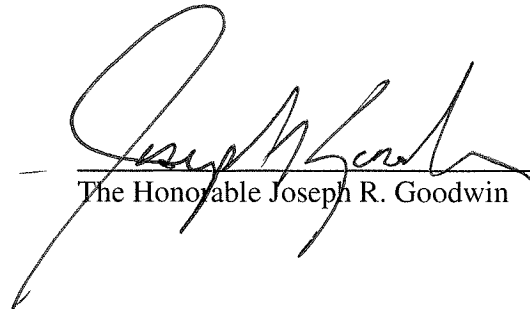
- a) Just compensation due for the taking of the Easements is \$50,000;
- b) The Just Compensation Award shall be paid by Columbia to JASF, QS Coal and DHM, jointly and severally, within five (5) business days of the entry of this Order; and
- c) Upon Columbia's tender of the Just Compensation Award, the Parties shall affirm same to this Court by the filing of a Joint Motion praying for a further Order of this Court vesting title to the Easements, as prayed for in the Complaint, in Columbia and dismissing this Action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Just Compensation Award due for the taking of the Easements is determined to be \$50,000.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Columbia shall pay the Just Compensation Award to JASF, QS Coal and DHM, jointly and severally, within five business days of the entry of this Order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon Columbia's tender of the Just Compensation Award, which shall be affirmed to this Court by the Parties by Joint Motion to vest Title in Columbia, this Court shall enter its further Order vesting title in Columbia and dismissing the Action.

Dated: March 17, 2017



The Honorable Joseph R. Goodwin